

9017-15:KAG:135054  
WENMM/SB/21 (12/00)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/720.663
Filing Date	December 28, 2000
First Named Inventor	Ayers, William M.
Group Art Unit	Unknown
Examiner Name	Unknown

Total Number of Pages in this Submission

Attorney Docket Number 9017-15

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	POSTCARD
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Kenneth A. Gandy Woodard, Emhardt, Naughton, Moriarty & McNett
Signature	
Date	August 2, 2001

## Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231 on this date:

Typed or printed name	Kenneth A. Gandy		
Signature		Date	August 2, 2001



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9017-15:KAG:135050/ade WENMM/SB/17 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE**FEE TRANSMITTAL  
FOR FY 2001**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	09/720,663
Filing Date	December 28, 2000
First Named Inventor	Ayers, William M.
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	9017-15

**Total Amount of Payment (\$)**1050.00**METHOD OF PAYMENT**1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:Deposit  
Account  
Number

23-3030

Deposit  
Account NameWoodard, Emhardt, Naughton, Moriarty &  
McNettCharge any Additional Fee Required  
Under 37 CFR 1.16 and 1.17Applicant claims small entity status.  
See 37 CFR 1.27.2. ☒ **Payment Enclosed:**Check ☐ Credit Card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility Filing Fee	
106	320	206	160	Design Filing Fee	
107	490	207	245	Plant Filing Fee	
108	710	208	355	Reissue Filing Fee	
114	150	214	75	Provisional Filing Fee	
<b>SUBTOTAL (1)</b>					<b>(\$)</b>

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee From Below	Fee Paid
<input type="text"/>	-20** =	<input type="text"/> X <input type="text"/>	= <input type="text"/>
Independent Claims	-3** =	<input type="text"/> X <input type="text"/>	= <input type="text"/>
Multiple Dependent		<input type="text"/>	= <input type="text"/>

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	945.00
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other Fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$)

**SUBMITTED BY**

Name (Print/Type)

Kenneth A. Gandy

Registration No.  
(Attorney/Agent)

33,386

Telephone

Complete (if applicable)

(317) 634-3456

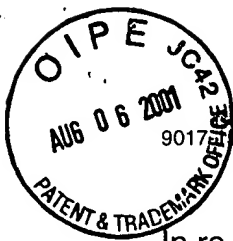
Signature

Date

August 2, 2001

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.  
SEND TO: Assistant Commissioner for Patents, Washington, DC 202031.



901715:KAG:137103/ade

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

William M. Ayers

Filed December 28, 2000

Serial No.: 09/720,663

METHOD AND APPARATUS FOR THE  
PREPARATIONS OF HIGH PURITY  
PHOSPHINE OR OTHER GASES

) Before the Examiner

) Unknown

) Group Art Unit

) Unknown

)

)

)

) August 2, 2001

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August 2, 2001

(Date of Deposit)

Kenneth A. Gandy

Name of Registered Representative

Signature

August 2, 2001

Date of Signature

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements of the nonprovisional Application dated February 2, 2001, please find the Declaration and Power of Attorney for Patent Application, copy of the Notification of Missing Requirements, and a check in the amount of \$1050.00 covering the surcharges. Any additional necessary fees may be charged to or overpayment credited to Deposit Account No. 23-3030, but not to include payment of issue fees.

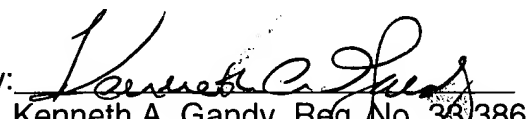
08/09/2001 UEDUVIJE 00000029 09720663

01 FC:254

65.00 OP

Respectfully Submitted,

By:

  
Kenneth A. Gandy, Reg. No. 38386  
Woodard, Emhardt, Naughton,  
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09/720,663

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AUG 06 2001  
PATENT & TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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Box PCT  
Washington, D.C. 20231

901715-ETT

U.S. APPLICATION NO. 5611

FIRST NAMED APPLICANT

ATTY. DOCKET NO. 91720663/15181

KENNETH A GANDY  
WOODARD EMHARDT NAUGHTON MORIARTY & MOINE  
BANK ONE CENTER/TOWER SUITE 3700  
111 MONUMENT CIRCLE  
INDIANAPOLIS IN 46204

INTERNATIONAL APPLICATION NO.

07/06/99 07/06/98

LA. FILING DATE PRIORITY DATE 02/06/01

DATE MAILED:

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☐ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☐ a non-English language.  
☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of Inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed 28 Dec 00 and \_\_\_\_\_.

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_.

☐ Statement Claiming Small Entity Status.

☐ Priority Document.

☐ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 305-6000

RECEIVED

FEB 09 2001

Woodard, Emhardt, Naughton,  
Moriarty & Moine

ENTERED  
2-2-01

BEST AVAILABLE COPY